

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

CONSUMERS PRODUCE, INC.,)	CASE NO. 4:08CV70
)	
PLAINTIFF,)	JUDGE PETER C. ECONOMUS
)	
v.)	
)	
R. FAMILY MARKET, <i>et al.</i>,)	ORDER
)	
DEFENDANTS.)	

On February 4, 2009, this Court issued an order assigning this case to Magistrate Judge James S. Gallas (Dkt. # 53, 54) to determine Consumers Produce Inc.'s ("Plaintiff") Motion for Attorney Fees and Costs (Dkt. # 48). On July 10, 2009, Magistrate Judge Gallas issued a Report and Recommendation, recommending that the Court **GRANT** Plaintiff's Motion for Attorney Fees in the amount of \$17,001.53 (\$16,425.50 for attorneys fees and \$576.03 for related expenses). (Dkt. # 55).

FED. R. CIV.P. 72(b) provides that objections to a report and recommendation must be filed within ten (10) days after service, but Defendants have failed to timely file any such objections. Therefore, the Court must assume that Defendants are satisfied with Magistrate Judge Gallas' recommendation. Any further review by this Court would be a duplicative and an inefficient use of the Court's limited resources. Thomas v. Arn, 728 F.2d 813 (6th Cir. 1984), aff'd, 474 U.S. 140 (1985); Howard v. Secretary of Health and

Human Services, 932 F.2d 505 (6th Cir. 1991); United States v. Walters, 638 F.2d 947 (6th Cir.1981).

Therefore, the Report and Recommendation of Magistrate Judge Gallas is hereby **ADOPTED**. (Dkt. # 55). Plaintiff's Motion for Attorney Fees and Costs is **GRANTED**. (Dkt. # 48). Accordingly, a fee and cost award in the amount of \$17,001.53 is **ORDERED** to be sent to Plaintiff's counsel, Frederick S. Coombs, III.

IT IS SO ORDERED.

/s/ Peter C. Economus – July 28, 2009
PETER C. ECONOMUS
UNITED STATES DISTRICT JUDGE